

Disproportionate Minority Contact (DMC) Summary

JJDP Act

The JJDP Act, through the 2002 reauthorization, establishes four core protections with which participating States and territories must develop and implement strategies for achieving and maintaining compliance with the requirements in order to receive grants under the JJDP Act:

- Deinstitutionalization of Status Offenders (DSO) – removal of status offenders and non offenders from secure juvenile detention and correctional facilities and the removal of all juveniles from jails and lockups for adult offenders
- Separation – provide separation between adult and juveniles in institutional settings
- Jail Removal – removal of juveniles from adult jails and lockups
- Disproportionate Minority Contact (DMC), reduction of minority over-representation where it exists within the juvenile justice system

DMC

The DMC Committee was created by the Council of Juvenile Services to monitor, research, and make recommendations to address DMC. As part of the work of the DMC Committee, local workgroups were formed in Sioux Falls, Rapid City, and Sisseton. The Committee as well as each local workgroup is in charge of the steps of the DMC process as follows:

- **Identify** the existence/extent of disproportionality through “between race” comparisons within jurisdictions and at specific decision points in the system
- **Assess** data about DMC to target detailed studies by identifying points of needed intervention, and allocate resources for system interventions
- **Intervene** to reduce DMC by assisting policymakers in choosing jurisdictions that should receive increased attention and intervention
- **Evaluate** how DMC responds to policy initiatives and system interventions
- **Monitor** trends in DMC within and across jurisdictions

Identification

In the first phase of the DMC process, the Department of Correction collected data to identify a baseline set of data to determine if a disproportionate number of minority youth were represented throughout the juvenile justice system. Based on the information collected in the initial identification in 2002, Black youth were found to disproportionately represented at the stages of arrest, detention, and petition and Native American youth were found to disproportionately represented at the stages of arrest, detention, petition, adjudication, probation, and secure placement.

Assessment

In the second phase of the DMC Process, the Department of Corrections contracted with researchers from Mountain Plains Research to conduct an assessment of DMC in order to assist the Council in identifying interventions that can reduce the occurrence of DMC. Based on findings of the assessment the following mechanisms have been identified as contributing to minority over representation in South Dakota:

- **Differential Behavior:** The rates at which youth from various racial and ethnic subgroups are involved in activity may differ.

- **Indirect Effects:** Reflects the fact that in this society, economic status, education, location, and a host of risk factors associated with delinquent behavior, among other factors, are linked with race and ethnicity.
- **Differential Opportunities for Prevention and Treatment:** The allocation of prevention and treatment resources within communities is seldom uniform or universally accessible across the entire community. In some instances, those allocations create a disadvantage for minority youth.
- **Differential Processing or Inappropriate Decisionmaking Criteria:** Differential processing or inappropriate decisionmaking criteria can be an issue in determining program eligibility, implementing diversion programs, and selecting alternative decision outcomes.
- **Justice by Geography:** The concept that youth in general, and minority youth in particular, may be processed or handled differently in one jurisdiction than in another within the same state.
- **Legislation, Policies, and Legal Factors With Disproportionate Impact:** Policies enacted through legislation or through administrative action may sometimes contain elements that create a disadvantage for minority youth.

Intervention and Evaluation

The South Dakota DMC Committee reviewed DMC information and assessment results to determine what strategies should be implemented on a statewide basis. Based on the recommendations from the DMC Committee, the Council of Juvenile Services has adopted and has taken steps to begin implementation of the following statewide DMC intervention strategies:

- (1) Implement data improvement projects in order to improve quantity and quality of the data currently available for the study of DMC.
- (2) Disseminate information about Disproportionate Minority Contact (DMC).
- (3) Decrease the overrepresentation of Native American youth in South Dakota's juvenile justice system by developing and implementing effective Native American culture awareness training and agency cultural assessment training for juvenile justice practitioners and service providers.
- (4) Support implementation of raising the compulsory school attendance age from 16 years to 18 years.
- (5) Increase collaboration with Native American Tribes and the state juvenile justice system in order to access services operated by tribal entities including temporary custody, diversion, and treatment services instead of relying solely on existing state operated or contracted programs.
- (6) Create a legal education program be implemented for juveniles and their families. The focus of the program would be on the right and responsibilities, navigating the justice system, and parenting a juvenile that is involved with the juvenile justice system.
- (7) Implement intervention locations in Sioux Falls, Rapid City, and Sisseton and continue to support the three local DMC Workgroups financially as well as through staff support.

Local Intervention Strategies			
Location	Provider	Funding	Description
Sioux Falls	Lutheran Social Services	\$59,000	A position that would work with the Native American children and their families upon entrance of the child to the juvenile justice system in order to help the juvenile and the family understand the juvenile justice system, realize rights and responsibilities, and provide a better understanding of the youth's and family's needs to those people working within the juvenile justice system.
Sioux Falls	American Indian Services	\$11,000	Expand outreach activities and services for Minority families in order to help them receive appropriate services.

Local Intervention Strategies			
Location	Provider	Funding	Description
Sioux Falls	Great Plains Psychological Services	\$10,000	Provide culturally appropriate parenting skills to Minority parents in order to prevent contact with the juvenile justice system and help them deal with some of the issues relating to contact with law enforcement and other state agencies.
Rapid City	Rapid City Area Schools	\$80,000	Two positions for Middle School Prevention Specialists that would focus on providing services to Minority youth—at Dakota and North Middle Schools—who are at risk of entering the juvenile justice system and providing them and their families with cultural opportunities, activities, and events.
Sisseton	City of Sisseton	\$30,000	Create a Resource Officer position to be placed within the Sisseton school to: <ul style="list-style-type: none"> – Deal with issues that arise on the grounds during school time – Improve rapport between the youth and law enforcement – Increase positive interaction with officers – Increase safety within the schools. – Promote prevention – Provide education (juvenile justice system, their rights and responsibilities, and provide a better understanding of the family's needs to those people working within the juvenile justice system)
Sisseton	Lutheran Social Services	\$6,050	Provide a Violence Reduction Program that incorporates Mental Health Evaluations, Accountability, and Parenting Skill education in an effort to reduce the number of juveniles that reoffend.
Sisseton	Glacial Lakes Boys and Girls Club	\$3,950	Create a diversion program to emphasize accountability in an effort to decrease reoffending of juveniles with minor offenses.

System Monitoring

Based on information collected from 2004, Black and Native American youth each make up at least one percent of the total juvenile population. In looking at the stages of the juvenile justice system for 2004, the following results were found:

- √ Black
 - Based on population, in 2005 the arrest rate for Black youth is 2.32 times higher than the arrest rate for white youth.
 - Based on juvenile arrests, in 2005 the detention rate for Black youth is 1.55 times higher than the detention rate for white youth.
 - Based on juvenile arrests, in 2005 the petition rate for Black youth is 0.79 times higher than the petition rate for white youth.
 - At the stages of Cases Resulting in Adjudications, Cases Resulting in Probation, Cases Resulting in Secure Placement, and Cases Transferred to Adult Court the number of cases are too low to analyze for significance.
- √ Native American
 - Based on population, in 2005 the arrest rate for Native American youth is 2.39 times higher than the arrest rate for white youth.

- Based on juvenile arrests, in 2005 the detention rate for Native American youth is 1.39 times higher than the detention rate for white youth.
- Based on juvenile arrests, in 2005 the petition rate for Native American youth is 0.82 times higher than the petition rate for white youth (not significant).
- Based on petitions, in 2005 the adjudication rate for Native American youth is 1.02 times higher than the adjudication rate for white youth.
- Based on adjudications, in 2005 the probation rate for Native American youth is 1.21 times higher than the probation rate for white youth.
- Based on adjudications, in 2005 the secure placement rate for Native American youth is 3.61 times higher than the secure placement rate for white youth.
- At the stage of Cases Transferred to Adult Court the number of cases are too low to analyze for significance.